

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DANIEL ROYBAL

Petitioner,

v.

Civ. 14-1149 MV/SCY

JEFF WRIGLEY, *Warden, Lea
County Correctional Facility* and THE ATTORNEY
GENERAL OF THE STATE OF NEW MEXICO,


Respondents.

**ORDER ADOPTING MAGISTRATE JUDGE’S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION AND DISMISSING CASE**

THIS MATTER is before the Court on Petitioner Daniel Roybal’s 28 U.S.C. § 2254 motion for a writ of habeas corpus. *Doc. 1*. On February 2, 2015, Magistrate Judge Steven C. Yarbrough filed Proposed Findings and Recommended Disposition (“PFRD”) advising that the Court dismiss Petitioner’s claims. *Doc. 8*. Specifically, he found that the Petitioner had set forth four putative grounds for relief based on various trial errors: (1) ineffective assistance of counsel, (2) involuntary confession, (3) insufficient evidence to maintain the conspiracy charges brought against him, (4) lack of jurisdiction of the trial court. *Id.* at 2. According to his analysis, Petitioner’s claims are time-barred and not preserved by statutory or equitable tolling. Petitioner has filed no objections to the PFRD, thereby waiving her right to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the record, the Court concurs with the Magistrate Judge’s findings and recommendations.

IT IS THEREFORE ORDERED THAT:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*doc. 8*) is
ADOPTED.
2. Petitioner's claims are dismissed with prejudice.


UNITED STATES DISTRICT JUDGE